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	TRANS			Richard FERNANDES			
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	7	LICATION ELEMENTS	cation contents.	ADDRES	Box Patent	commissioner of Application n, D.C. 20231	Patents
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17. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:							
[] Continuation [] Divisional [] Continuation-in-part (CIP) of prior application No.:							
		18. CORRESPONDENCE ADDRESS					
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Applicant or Patentee: Richard Fernandes
Serial or Patent No.: Attorney's Docket No2470-105
Filed or Issued:
For: COMPUTER-IMPLEMENTED APPARATUS AND METHOD FOR GENERATING A TAILORES
<u>FROMOTION</u>
VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN
I hereby declare that I am
 the owner of the small business concern identified below: an official of the small business concern empowered to act on behalf of the concern identified below:
NAME OF CONCERN <u>webloyalty.com</u> ADDRESS OF CONCERN 101 Merritt 7, 5th Floor, Norwalk, Connecticut 06851
I hereby declare that the above identified small business concern qualifies a small business concern as defined in 13 CFR 121.3-18, and reproduced in 3 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of the 35, United States Code, in that the number of employees of the concern including those of its affiliates, does not exceed 500 persons. For purpose of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employe on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either directly or indirectly, one concern controls or has the power to control both other, or a third party or parties controls or has the power to control both
hereby declare that rights under contract or law have been conveyed to an remain with the small business concern identified above with regard to the invention, entitled COMPUTER-IMPLEMENTED APPARATUS AND METHOD FOR GENERATINATION TAILORED PROMOTION by inventor(s) Richard Fernandes described in
<pre>[X] the specification filed herewith [] application serial no, filed [] patent no, issued</pre>
If the rights held by the above identified small business concern are no

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

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ADDRESS
I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any application issuing thereon, or any patent to which this verified statement is directed.
NAME OF PERSON SIGNING Richard Fernances THE OF PERSON OTHER THAN OWNER ADDRESS OF PERSON SIGNING 101 month 7, Fifn Floor, Normalia, CT 0683, Lesson 1070 177. Co.
SIGNATURE Mult Com Date 2/25/00

COMPUTER-IMPLEMENTED APPARATUS AND METHOD FOR GENERATING A TAILORED PROMOTION

BACKGROUND OF THE INVENTION

1. Field of the Invention

The present invention relates generally to a tailored promotion presented to a prospective customer, and more particularly to a tailored promotion presented to a prospective customer at an electronic commerce site.

2. Description of the Background Art

Electronic commerce is the transaction of commerce through an electronic medium, such as a distributed communication network. A common such network is the Internet, but may also include other common digital and computer networks such as a local area network (LAN), wide-area network (WAN), or a virtual private network (VPN), for example. As the most widespread and popular distributed communication network, the Internet will be used in all further discussion.

The Internet has become very popular for electronic commerce, with merchants electronically advertising and selling a wide variety of goods and services. The Internet has also proven to be a valuable tool for advertising and for building name or brand recognition, and therefore for establishing or increasing market share.

Current statistics show that electronic commerce is growing at a very rapid pace, and appears to be on track to achieve a

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respectable share of the total market in goods and services.

Current estimates are that over 70 million Americans have

Internet access, with this number projected to soon reach about

150 million. As a result, Internet advertising revenues reached

\$1.92 billion in 1998, and are expected to continue growing at a substantial rate.

Several traditional marketing approaches exist. In one traditional approach, a merchant may simply display goods and services on an electronic commerce site and simply wait for prospective customers to happen across the site.

Another traditional approach is the marketing promotion. Traditional marketing promotions generally operate on an assembly line approach. They generate a one-size-fits-all advertising theme and campaign, and aim the message at a large pool of prospective customers. The traditional approach works on the theory that if enough people receive the message, an acceptable percentage will be receptive and purchase the advertised goods and services. This is reflected on the Internet by so-called banner ads, that typically reside on a website and are displayed to all viewers of the website.

The assembly line approach works, but is not terribly efficient. First, by broadcasting a message to all available recipients, the traditional approach risks offending prospective customers by subjecting them to advertising campaigns on a large number of items they are not interested in. Second, by simply cranking out a uniform message to a large mass, the traditional

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approach is distracted from and overlooks smaller groups of likely and receptive prospects. Third, the assembly line approach may involve extra cost in targeting and reaching large numbers of unreceptive persons.

There remains a need in the art, therefore, for improvements in electronic commerce to present a tailored promotion to a visitor to an electronic commerce site.

SUMMARY OF THE INVENTION

A computer-implemented electronic commerce apparatus for generating a tailored promotion to a consumer over a distributed communication network is provided according to a first aspect of the invention. The electronic commerce apparatus comprises a connection to the distributed communication network and a consumer information storage, the consumer information storage including a consumer identifier storage, at least one site identifier, and including for each site a consumer identifier activity information pertaining to visited websites, wherein the electronic commerce apparatus receives the activity information, stores the activity information in the consumer information storage, and uses the activity information to create a tailored promotion and to present the tailored promotion to the consumer upon the consumer's visit to a second or subsequent website.

A computer-implemented electronic commerce method for generating a tailored promotion to a consumer over a distributed communication network is provided according to a second aspect of the invention. The electronic commerce method comprises the

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steps of obtaining an activity information of a consumer when the consumer visits a first website, storing consumer preference information contained in the activity information, receiving a consumer web request for a second website, creating a tailored promotion for the consumer from the preference information, and presenting the tailored promotion to the consumer at the second website.

A computer-implemented electronic commerce method for generating a tailored promotion to a consumer over a distributed communication network is provided according to a third aspect of the invention. The electronic commerce method comprises the steps of storing a consumer identifier contained in an activity information of the consumer, storing a website identifier for each website stored in the activity information, storing a web pages visited information, if any, for each website, storing a products reviewed information, if any, for each website, storing a purchases made information, if any, for each website, receiving a consumer web request for a second website, creating a tailored promotion for the consumer from the preference information, and presenting the tailored promotion to the consumer at the second website.

The above and other features and advantages of the present invention will be further understood from the following description of the preferred embodiment thereof, taken in conjunction with the accompanying drawings.

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BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 shows a cookie file of a type commonly created and used by an Internet browser;

FIGS 2A-2D show basic operations in the creation and maintenance of a cookie file;

- FIG. 3 shows a computer-implemented electronic commerce apparatus 300 of the present invention;
- FIG. 4 shows a flowchart of a first embodiment of a method of the present invention; and
- FIG. 5 shows a flowchart of a second embodiment of the method of the present invention.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

FIG. 1 shows a cookie file 101 of a type commonly created and used by an Internet browser. Users on the Internet typically use a browser to move between websites on the World Wide Web. A browser is simply a software package that interfaces with the Internet to send and receive data and to allow users to easily move between websites. When a user wants to go to a certain website, he or she merely enters an address or clicks on a link. A web request is transmitted to the specified website, and the website responds by transmitting back the data that forms the specified website page (i.e., web page) on the requester's computer.

A cookie file is a file on a user's computer that can be used by visited websites (i.e., requested websites) to store information on the user's computer. Each website that a user

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visits may therefore install data on the user's computer in the cookie file. The user does not see this transaction and does not know it is occurring. A website typically stores preference information in the cookie file, including particular user settings or configurations, registration information and passwords (if used or required by a website), on-line shopping cart data, activity information about the user's activities on the website, etc. A cookie file is therefore used by a website to store information about the user for future reference. Not only that, but a website may extract further information such as buying habits and preferences for certain goods and services.

FIGS 2A-2D show basic operations in the creation and maintenance of a cookie file. In FIG. 2A, a consumer sends a web request to a first website. This may be done on typical browsers by entering a website address or by clicking on a link. A message is thereby sent to the first website, requesting a data transfer of information at the specified address and web page.

In FIG. 2B the first website transmits a response. The response may include an entry to be inserted into the cookie file on the consumer's computer (however, not all websites do so). The consumer does not see this transaction and does not participate in any way.

In FIG. 2C, when the consumer visits a second website, the second website may also request the cookie file.

In FIG. 2D, the second website may update the cookie file on the consumer's computer by placing a new entry (or updating an

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existing one) in the cookie file. Of course, the first website may also update its own previous entry or may add new entries. In this manner, any website visited by the consumer may store information for future use by the website.

FIG. 3 shows a computer-implemented electronic commerce apparatus 300 of the present invention. The apparatus 300 is connected to a distributed communications network, such as the Internet 303. The Internet 303 may be additionally connected to any number of websites, such as a first website 306 and a second website 307, and may be connected to any number of consumers 309. The apparatus 300 may therefore communicate with other users and other computers connected to the Internet 303.

The computer-implemented electronic commerce apparatus 300 may include a consumer information storage 315, a database of subscribers 325, and a database of promotions 327. The consumer information storage 315 may include, for each consumer stored on the electronic commerce apparatus 300, a consumer identifier storage 316, a site visited identifier 317, a site pages visited storage 318, a products reviewed storage 319, and a purchases made storage 320, zip code or other address information,

The consumer information storage 315 contains one or more entries, corresponding to one or more consumers. The consumer information storage 315 may be constructed to expand greatly to accommodate new entries as more consumer preference information is gathered. One complete entry is shown for the purpose of illustration.

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The consumer identifier storage 316 may contain an identifier unique to each consumer stored on the electronic commerce apparatus 300. The identifier may be assigned, or may be an identifier that was given by the website that created the original cookie file entry.

The site visited identifier 317 may be an identifier given to each visited website. Each consumer may have multiple site visited identifiers 317 reflecting all sites visited by the particular consumer.

The site pages visited storage 318 may record all web pages on a website that have been visited by the particular consumer. The site pages visited storage 318 may also include information such as a number of repeat visits, dwell time on each page, etc.

The products reviewed storage 319 may contain information on offered goods and services reviewed by the consumer. If the consumer has been looking around at information on new car models, for example, that information may be present in the products reviewed storage 319 and could be used to infer that the consumer is interested in buying a new car.

The purchases made storage 320 may contain information on goods and services purchase by the consumer. This information likewise may be used to tailor a promotion to a consumer.

The database of subscribers 325 may contain all subscribers for whom the electronic commerce apparatus 300 may create a tailored promotion. A subscriber may retain the electronic commerce apparatus 300 to generate and present promotions to

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visitors to the subscriber's website, with such a promotion targeted to the particular consumer's likes and needs. Therefore, a subscriber may more efficiently employ promotions, and may increase sales, as visitors to the subscriber's website may only receive promotions that are tailored to his or her desires and needs.

The database of promotions 327 may contain all goods and services which a particular subscriber offers. The database of promotions 327 may therefore be used to tailor a promotion to each visitor to a website of a particular subscriber.

FIG. 4 shows a flowchart 400 of a first embodiment of a method of the present invention. In step 402, a consumer web request is received at a first website. The first website may or may not be participating in a tailored promotion with the electronic commerce apparatus 300.

In step 405, in response to the consumer's web request, the first website retrieves the consumer's cookie file from the consumer's computer.

In step 407, the first website stores the preference information received from the consumer's computer.

In step 410, the electronic commerce apparatus 300 detects a consumer web request at a second website that is a subscriber of the electronic commerce apparatus 300. The electronic commerce apparatus 300 may thereupon generate a tailored promotion (assuming that the consumer has a cookie file). The electronic

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commerce apparatus puts the cookie on the user's file and shares the cookie across websites.

In step 412, the electronic commerce apparatus 300 may generate a tailored promotion using preference information from the consumer's cookie file. The promotion may offer goods or services that the consumer is receptive to, based on the preference information.

In step 416, the electronic commerce apparatus 300 presents the tailored promotion to the consumer, at the second website. The second website is preferably a subscriber of the electronic commerce apparatus 300. The electronic commerce apparatus also stores results of the promotions for consumers, which information also can be used to tailor additional promotions.

FIG. 5 shows a flowchart 500 of a second embodiment of the method of the present invention. In step 503, the electronic commerce apparatus 300 stores a consumer identifier received from a cookie file. The cookie file may have been acquired through a web request from a consumer, may be obtained through a list purchase of cookie file information from a dealer in such information, or in other ways. The apparatus enables adaptive use of the collected data as time goes on, by analyzing the consumer's behavior as reflected in the data accumulated in the cookie files.

In step 507, the electronic commerce apparatus 300 stores a website identifier for each website visited by the consumer.

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In step 513, the electronic commerce apparatus 300 stores a web pages visited information for all recorded web pages visited by the consumer at each website (i.e., each consumer may have visited multiple pages on a website and may have visited multiple websites).

In step 516, the electronic commerce apparatus 300 stores information regarding goods and services reviewed by the consumer. Additionally, the electronic commerce apparatus 300 may record statistics such as the time spent looking at a particular good or service, price range of reviewed product, type of reviewed product, etc.

In step 519, the electronic commerce apparatus 300 stores information regarding purchases of goods and services. The purchase information may be useful in predicting future purchases and may be useful in presenting tailored promotions.

In step 522, for a particular consumer, if more websites visited information exists, the method branches back to step 507. Else, the method proceeds to step 528.

In step 528, the method waits for a subscriber website to receive a web request. It should be understood that although steps 528-536 are shown as occurring after steps 503-522, steps 528-536 occur independently and may occur at any time in relation to steps 503-522. If a web request is received, the method proceeds to step 534, and the subscriber website sends to the electronic commerce apparatus the consumer ID of the requester.

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In step 534, a tailored promotion is created from stored preference information (if any) of the consumer as indicated by the consumer ID transmitted to the electronic commerce apparatus by the website.

In step 536, the tailored promotion is transmitted by the electronic commerce apparatus to the subscriber website, where it is presented to the consumer at the subscriber website.

While the invention has been described in detail above, the invention is not intended to be limited to the specific embodiments as described. It is evident that those skilled in the art may now make numerous uses and modifications of and departures from the specific embodiments described herein without departing from the inventive concepts.

What is claimed is:

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1. A computer-implemented electronic commerce apparatus for generating a tailored promotion to a consumer over a distributed communication network, comprising:

a connection to said distributed communication network; and a consumer information storage, said consumer information storage including a consumer identifier storage for identifying individual consumers, at least one network site identifier for identifying a commercial site on said network, and including for each network site consumer identifier activity information pertaining to network sites accessed by said individual consumers and associated with individual consumers;

wherein said electronic commerce apparatus receives said activity information, stores said activity information in said consumer information storage by individual consumer, and uses said activity information to create a tailored promotion and to present said tailored promotion to said consumer at a particular network site upon said consumer's visit to a said network site.

2. The computer-implemented electronic commerce apparatus of claim 1, further including a database of promotions which are selected among in order to create said tailored promotion.

The computer-implemented electronic commerce apparatus 1 2 of claim 1, further including a database of subscribers to said 3 tailored promotion.

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- The computer-implemented electronic commerce apparatus 1 of claim 3, wherein said particular network site is a subscriber 2 and is listed in said database of subscribers. 3
- The computer-implemented electronic commerce apparatus 1 2 of claim 1, wherein said distributed communication network is the Internet.
 - The computer-implemented electronic commerce apparatus of claim 1, wherein said activity information is obtained from a cookie file stored on said consumer's computer.
 - 7. The computer-implemented electronic commerce apparatus of claim 1, wherein said activity information includes a pages visited information.
- The computer-implemented electronic commerce apparatus 1 2 of claim 1, wherein said activity information includes a products 3 and services reviewed information.

- 9. The computer-implemented electronic commerce apparatus of claim 1, wherein said activity information includes a purchases made information.
- 1 10. The computer-implemented electronic commerce apparatus 2 of claim 1, wherein said electronic commerce apparatus receives 3 said activity information from a consumer's computer upon a visit 4 by said consumer to a first network site.

1 11. A computer-implemented electronic commerce method for 2 generating a tailored promotion to a consumer over a distributed 3 communication network, comprising the steps of: 4 obtaining an activity information of a consumer when said

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obtaining an activity information of a consumer when said consumer visits a first network site;

storing consumer preference information contained in said activity information;

receiving a consumer web request for access to a second network site;

creating a tailored promotion for said consumer from said preference information; and

presenting said tailored promotion to said consumer at said second network site.

- 12. The computer-implemented electronic commerce method of claim 11, wherein said activity information is obtained from a cookie file stored on said consumer's computer.
- 13. The computer-implemented electronic commerce method of claim 11, wherein said second network site is a subscriber to said computer-implemented electronic commerce method.

- 1 14. The computer-implemented electronic commerce method of claim 11, wherein said storing step further includes the steps of:
- 4 storing a consumer identifier;
- storing a network site identifier for a website stored in said cookie file;
- storing a pages visited information for said network site;
- 8 storing a products reviewed information for said network
- 9 site; and

- storing a purchases made information for said network site.
 - 15. The computer-implemented electronic commerce method of claim 11, wherein said distributed communication network is the Internet.

1 16. A computer-implemented electronic commerce method for 2 generating a tailored promotion to a consumer over a distributed 3 communication network, comprising the steps of:

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storing a consumer identifier contained in an activity information of said consumer;

storing a network site identifier for each network site stored in said activity information;

storing a pages visited information, if any, for said each network site;

storing a products reviewed information, if any, for said each network site;

storing a purchases made information, if any, for said each network site;

receiving a consumer request for a particular network site; creating a tailored promotion for said consumer from said preference information; and

presenting said tailored promotion to said consumer at said particular network site.

17. The computer-implemented electronic commerce method of claim 16, further including the preliminary step of obtaining an activity information of a consumer when said consumer visits a first network site.

1 18. The computer-implemented electronic commerce method of 2 claim 16, wherein said activity information is obtained from a 3 cookie file stored on said consumer's computer.

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- 1 19. The computer-implemented electronic commerce method of claim 16, wherein said activity information is purchased.
- 1 20. The computer-implemented electronic commerce method of 2 claim 16, wherein said second website is a subscriber to said 3 computer-implemented electronic commerce method.
 - 21. The computer-implemented electronic commerce method of claim 16, wherein said distributed communication network is the Internet.

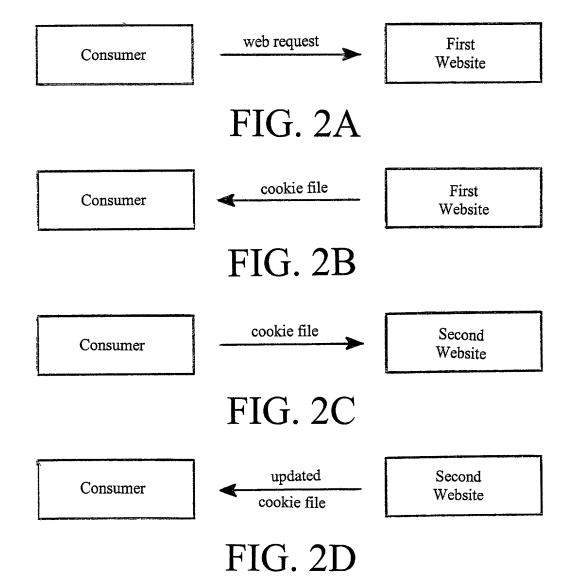
ABSTRACT OF THE DISCLOSURE

A computer-implemented electronic commerce apparatus and method is provided. The apparatus includes a connection to the distributed communication network and a consumer information storage, the consumer information storage including a consumer identifier storage, at least one site identifier, and including for each site a consumer identifier activity information pertaining to visited websites, wherein the electronic commerce apparatus receives the activity information, stores the activity information in the consumer information storage, and uses the activity information to create a tailored promotion and to present the tailored promotion to the consumer upon the consumer's visit to a second website. One embodiment of the method includes the steps of obtaining an activity information of a consumer when the consumer visits a first website, storing consumer preference information contained in the activity information, receiving a consumer web request for a second website, creating a tailored promotion for the consumer from the preference information, and presenting the tailored promotion to the consumer at the second website.

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FIG. 1



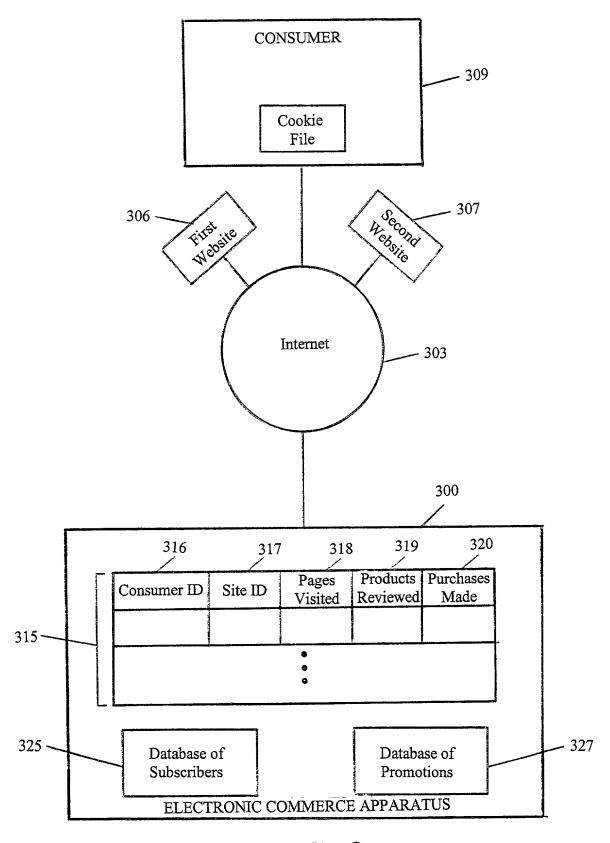
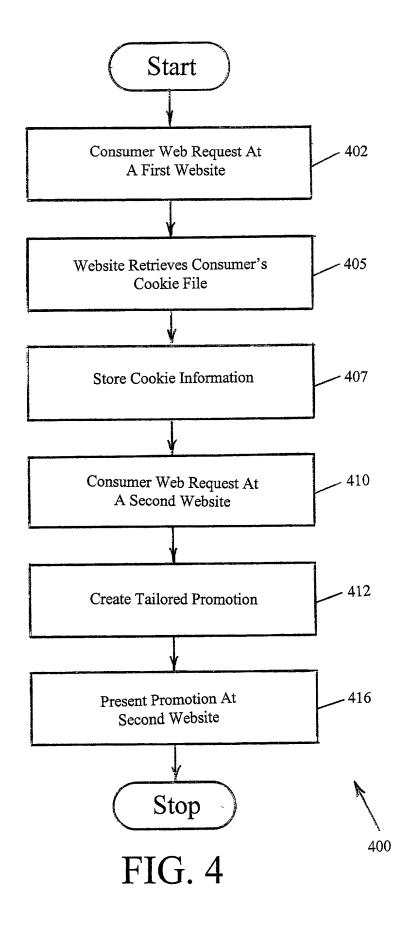
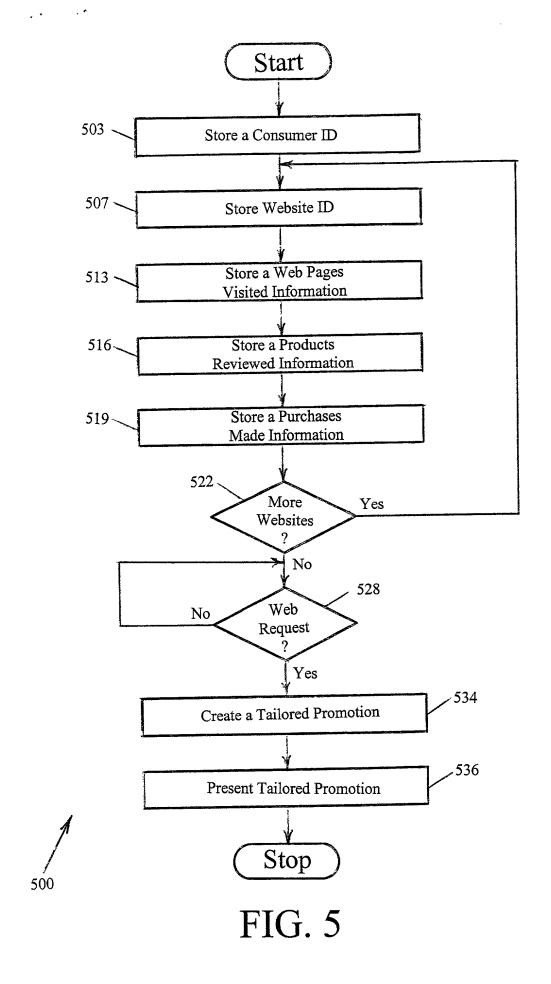


FIG. 3





Declaration and Power of Attorney for Patent Application

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, $\$

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought, on the invention entitled COMPUTER-IMPLEMENTED APPARATUS AND METHOD FOR GENERATING A TAILORED PROMOTION, the specification of which

	Application Serial	No.		
I hereby state above-identif	and was amended on te that I have reviewe fied specification, in	d and understand th	e contents as amende	of the
isamendment rei	ferred to above. the duty to disclose in accordance with T	information which	is materia	al to
I.56(a). I hereby clai	im foreign priority be	nefits under Title	35. United	I States
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Prior Foreign	Application(s)		.	
(Number	(Country)	(Day/Month/Year)	Priority [] Yes	Claimed [] No
Prior Foreign	Application(s)			_
(Number	(Country)	(Day/Month/Year)	Priority [] Yes	Claimed [] No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status)
(Application Serial No.)	(Filing Date)	(Status)

I or we hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to ROTHWELL, FIGG, ERNST & KURZ, p.c., Suite 701
555 13th Street, N.W., Washington, D.C. 20004:

G. Franklin Rothwell, Reg. No. 18,125 E. Anthony Figg, Reg. No. 27,195 Barbara G. Ernst, Reg. No. 30,377 George R. Repper, Reg. No. 31,414 Bart G. Newland, Reg. No. 31,282 Vincent M. DeLuca, Reg. No. 32,408 Celine Jimenez Crowson, Reg. No. 40,357 Joseph A. Hynds, Reg. No. 34,627 Mark I. Bowditch, Reg. No. 40,315 Robert J. Jondle, Reg. No. 33,915 Jeffrey W. Rennecker, Reg. No. 40,784 Kenneth M. Fagin, Reg. No. 37,615 Don M. Kerr, Reg. No. 22,720 Jeffrey I. Ihnen, Reg. No. 28,957 Stephen A. Saxe, Reg. No. 38,609 Glenn E. Karta, Reg. No. 30,649 Martha Cassidy, Reg. No. 44,066

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine

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States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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(Same as Above)		
POST OFFICE ADDRESS		